

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55665 of 2025

Arising Out of PS. Case No.-103 Year-2025 Thana- SARAI RANJAN District- Samastipur

Abhishek Kumar Son of Bade Ray @ Bare Rai @ Shital Ray, Resident of
Meyari, Vajitpur Meyari, Bazidpur, Meari, Bajitpur Meari, P.S. -Sarairanjan,
Dist-Samastipur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Keshav Bhardwaj, Advocate.

For the Opposite Party/s : Mr. Anil Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 01-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Sarai Ranjan P.S. Case No.103 of 2025 instituted under
Sections 30(a) & 41(1), (2) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
2752.965 liter illicit foreign liquor from Ten-Wheeler Truck,
Bolero, Scorpio and motorcycle collectively near the *Chaur* of
Harilochanpur Tiswara and it is alleged that all the accused
persons fled away from the spot leaving their vehicles after
seeing the police team.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this



case only on the basis of disclosure made by the Local *Chaukidar* and villagers. He further submits that petitioner is neither owner nor driver of any of the vehicle and he has no concern with the alleged recovered liquor. Learned counsel submits that no incriminating article has been recovered from the conscious possession of the petitioner. He further submits that there is no independent witness in the seizure list and no compliance of provision of Section 103 and 105 of B.N.S.S. in preparing the seizure list. Learned counsel submits that petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-II, Samastipur in connection with Sarai Ranjan P.S. Case No.103 of 2025, subject to the conditions as laid down under Section 482(2) of the



Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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